

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/10/05

04 Civ. 6968 (PKC)

GLORIA J. GRILLO,

Plaintiff,

ADDENDUM TO  
FINAL PRETRIAL  
ORDER

-against-

EVERGREENE PAINTING STUDIOS, INC. & JEFFREY  
GREENE,

Defendants.

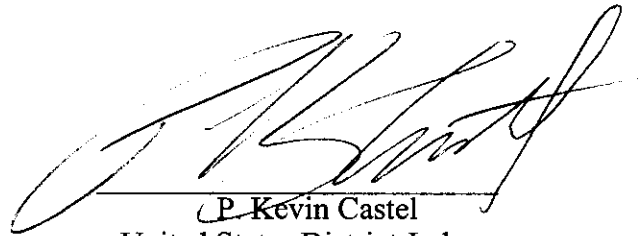
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The Final Pretrial Order may not be modified except to prevent a manifest injustice. Rule 16(e). The pleadings are closed. Issues not identified in this Order are deemed abandoned. The list of exhibits and witnesses are final. No further jury instructions may be submitted, except in accordance with Rule 51(2)(A). See Potthast v. Metro-North Railroad, 400 F. 3d 143, 153-56 (2d Cir. 2005).

Counsel is advised that the failure to have a witness available for the timely presentation of his or her testimony will be deemed a waiver and/or abandonment of the right to call that witness.

All exhibits are to be premarked prior to commencement of trial with plaintiff using letters and defendant using numbers. Two complete sets of documentary exhibits should be handed to the Judge's Clerk for use by the Judge and his staff during trial. During trial, sufficient copies of premarked exhibits are to be made available for opposing counsel and the witness.

SO ORDERED.

  
P. Kevin Castel  
United States District Judge

Dated: New York, NY  
June 10, 2005